

STAFF REPORT**POTENTIAL CODE AMENDMENT FRAMEWORK**

Date: December 1, 2015
To: Lewis County Planning Commission
From: Fred Evander, Senior Long Range Planner
RE: **POTENTIAL CODE AMENDMENT FRAMEWORK**
Attachments: Process Chart for Permit Processing (2 Pages)

The purpose of this staff report is to re-introduce two matrices intended to help the Planning Commission and staff think about potential changes to the Lewis County Code. Earlier versions of these matrices were previously distributed at the meeting of November 10, 2015.

Staff requests that the Planning Commission give additional guidance about the items on the matrices, including the desirability of the consolidation of some permit types, the creation of more consistent public notice timelines and requirements, and the use of a more consistent appeal period.

STAFF RECOMMENDATION

Staff will explain these items further at the meeting of December 8, 2015.

Process Chart - DRAFT FOR DISCUSSION ONLY

| | Type | | | | | | | |
|--|-------------|---|--|---|--|--|-------------------------------|---|
| | I | II | IIb | IIc | III | IV | V | VI |
| | Ministerial | Administrative Approval | RV Park Divisions | Binding Site Plan (Commercially or Industrially-Zoned Land) | Special Use | Subdivisions | Legislative Review | Master Plan |
| REQUIRED PUBLIC NOTICE | | | <i>Combine with Administrative Approval</i> | <i>Combine with Administrative Approval or Special Use</i> | | | | |
| Notice Period (Change to 14 Days Or At Least 15 Days before an Open Record Public Hearing) | | 10 Days (Change to 14 Days Or At Least 15 Days before an Open Record Public Hearing) | ??? | 10 Days (Change to 14 Days Or at Least 15 Days before an Open Record Public Hearing) | 30 Days (17.05.100) (Change to at Least 15 Days before an Open Record Public Hearing) | 10 Days (Change to at Least 15 Days before an Open Record Public Hearing) | 15 Days | 10-15 Days (17.20A, 17.20D, 17.20E), 30 Days (17.05.100) (Change to at Least 15 Days before an Open Record Public Hearing) |
| Mailed Notice (Distance in feet to Neighbors) (Make consistent - either 300 or 500 Feet) | | X (500) ¹ | X (500) | X (300) - based on Subdivision Section | ??? | X (300) | X (???) (if Site-Specific) | X (1000) |
| Notice Posted On Road Frontages | | X ¹ | | X - based on Subdivision Section | X | X | X (if Site-Specific) | X |
| Notice Published in Newspaper | | | | X - based on Subdivision Section | X | X | X | X |
| Notice Posted at Libraries and Senior Centers | | | | X - based on Subdivision Section | | X | X | X |
| PUBLIC HEARING | | | | | | | | |
| Planning Commission | | | | | | | X | X |
| Hearing Examiner | | X (If requested per 17.160.055) ² | | | X | X | | X |
| Modified Hearing Examiner | | | X | | | | | |
| DECISION-MAKING BODY | | | | | | | | |
| Designee | X | X | X (in Meeting Moderated by Hearing Examiner) | | | | | |
| Committee ³ | | | | X | | | | |
| Hearing Examiner | | X (If requested within 10 days of notice date) ² | | | X | | | |
| Board of County Commissioners | | | | | | X | X | X |
| APPEAL (Make all Appeals Subject to LCC 2.25) | | | | | | | | |
| To Hearing Examiner (as Specified in 2.25.130) | X | X (if Designee Decision Appealed) | ??? | | | | | X |
| To Appropriate Court/ Hearings Board (as Defined in 2.25.140) | | X (if Hearing Examiner Decision Appealed) | ??? | | X | X | X | X |

¹ Notice of SEPA Determinations may be combined with other notices, so long as the requirements in WAC 197-11-510 and LCC 17.110.170 are met.

² A request for a public hearing may not be made for a SEPA determination or notice.

³ Representatives of the community development department, health department, public works department, and the Lewis County planning commission (the “committee”), according to 16.15.050.

Process Chart - DRAFT FOR DISCUSSION ONLY

| | Type | | | | | | | | Code Reference |
|--|------------------------------|----|-----|-----|-----|----|---|----|--|
| | I | II | IIb | IIc | III | IV | V | VI | |
| Interpretations | | | | | | | | | |
| Code Interpretation – Written | X | | | | | | | | |
| | | | | | | | | | |
| Permits and Reviews | | | | | | | | | |
| Special Use | | | | | X | | | | 17.115.020 |
| Evaluation of Conformance with Special Use Permit | | | | | X | | | | |
| Administrative Approval | | X | | | | | | | 17.160.050, Items in 17.42.030 and 17.42.040 |
| Administrative Reduction | | X | | | | | | | |
| Master Plan - Rural Area Uses | | | | | X | | | | 17.120 |
| Master Plan - Major Industrial Reclaimed Surface Coal Mine | | | | | X | | | | 17.20B |
| Industrial Land Bank UGA | | | | | | | | X | 17.20A |
| New Fully Contained Community Urban Growth Area | | | | | | | | X | 17.20D |
| Master Planned Resorts | | | | | | | | X | 17.20E |
| SEPA | | X | | | | | | | |
| | | | | | | | | | |
| Nonconforming Use Determination | | | | | | | | | |
| Continuation of Nonconforming Use | X | | | | | | | | 17.155.010 |
| Expansion of a Nonconforming Use | | | | | X | | | | 17.155.020 |
| Change to Another Nonconforming Use | | | | | X | | | | 17.155.040 |
| | | | | | | | | | |
| Boundary Line Adjustments and Land Divisions | | | | | | | | | |
| Boundary Line Adjustment | X | | | | | | | | 16.02.040(8) |
| Short Subdivision | X | | | | | | | | 16.10 |
| Subdivision | | | | | | X | | | 16.05 |
| Large Lot Subdivision | X | | | | | | | | 16.12 |
| Simple Segregation | X | | | | | | | | 16.12.500 - 16.12.530 |
| Recreational Vehicle Binding Site Plan | | | X | | | | | | 16.14 |
| Binding Site Plan | | | | X | | | | | 16.15 |
| Final Plat | See Applicable Code Sections | | | | | | | | 16.05.180-260 (Long Plats), 16.10.370 (Short Plats), 16.12.420 (Large Lots) |
| Plat Alteration/Amendment | See Applicable Code Sections | | | | | | | | 16.05.140 (Subdivisions), 16.10.230 (Short Subdivisions), 16.12.380 (Large Lot), 16.15.070 (Binding Site Plan) |
| Plat Vacation | See RCW 58.17.212 | | | | | | | | 16.02.085 |
| | | | | | | | | | |
| Modifications and Variances | | | | | | | | | |
| Variance | | | | | X | | | | 17.160.020 - 040 |
| Subdivision and Short Subdivision Variance | | | | | X | | | | 16.02.095 |
| | | | | | | | | | |
| Plan and Code Amendments | | | | | | | | | |
| Site Specific Rezones/CP Map Amendments | | | | | | | X | | |
| General Legislative Amendments (Zone, CP Text Changes, Non-Specific Site Amendments) | | | | | | | X | | 17.12 |

Hearing may be requested